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**\*E-FILED - 3/6/09\***

Counsel for Defendant VALENCIA-LOPEZ

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR-08-00452-RMW
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
	)	<b>HEARING AND EXCLUDE TIME;</b>
v.	)	<b>[ ] ORDER</b>
	)	
WENCESLADO VALENCIA-LOPEZ	)	
	)	
Defendant.	)	
_____	)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, March 2, 2009 at 9:00 a.m., be continued to Monday, March 23, 2009, at 9:00 a.m. The continuance is requested to allow defense counsel further time for effective preparation and investigation. Additionally, the parties are reviewing new discovery regarding one of the defendant's prior convictions.

The parties further agree that time should be excluded under the Speedy Trial Act because

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STIPULATION TO CONTINUE  
HEARING DATE; [ ] ORDER  
No. CR-08-00452 RMW

1 the defense requires time for effective preparation and investigation, and the ends of justice  
2 outweigh the defendant's and the public's need for a speedy trial.

3 Dated:

4 /s/  
LARA S. VINNARD  
Assistant Federal Public Defender

5  
6 Dated:

7 /s/  
CHAD MANDELL  
Assistant United States Attorney

8  
9 **[] ORDER**

10 The parties have jointly requested a continuance of the hearing set for Monday, March 2,  
11 2009, to allow time for the defense to complete investigation, and for the parties to review new  
12 discovery.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
14 presently set for Monday, March 2, 2009, be continued to Monday, March 23, 2009, at 9:00 a.m.

15 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time  
16 from March 2, 2009 to March 23, 2009, shall be excluded from the period of time within which  
17 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

18 Dated: 3/6/09

19 *Ronald M. Whyte*  
RONALD M. WHYTE  
United States District Judge